

# Columbus

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BY AUTHORITY.]

OF THE UNITED STATES PASSED AT THE THIRD  
SESSION OF THE TWENTY-FIFTH CONGRESS.

[PUBLIC—No. 26.]

in the same manner as over other parts of said Territory; and their rights as a tribe or nation, and their power of making or executing their own laws, usages, or customs, as such tribe, shall cease and determine: Provided, However, That nothing in this act shall be so construed, as to deprive them of the right to any annuity now due to them from the State of New York or the United States, but they shall be entitled to receive any such annuity in the same manner as though this act had not been passed.

JAMES K. POLE,  
Speaker of the House of Representatives.  
R.H. M. JOHNSON,  
Vice President of the United States, and  
President of the Senate.

Approved, March 3d, 1839.

M. VAN BUREN,

[PUBLIC—No. 27.]

An Act making appropriation for the protection of the North and Northwestern frontier of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the township of land containing twenty three thousand and forty acres, lying on the east side of Winnebago lake, in the Territory of Wisconsin, which, by the provisions of a treaty made with the Menomonee Indians on the seventh February, eighteen hundred and thirty-one, and ratified on the ninth July, eighteen hundred and thirty-two, was reserved for the use of the Brothertown Indians, and which by a subsequent treaty with the Menomonee tribe, bearing date twenty-seventh October, eighteen hundred and thirty-three, and ratified thirteenth March, eighteen hundred and thirty-three, was further secured to the said Brothertown Indians, may be partitioned and divided among the different individuals comprising said tribe of Brothertown Indians, and may be sold by them separately and severally, in fee simple, and such division shall have been made in the manner hereinafter mentioned.

Sec. 1. And be it further enacted, That for the purpose of making partition and division of said lands among the individuals of said tribe of Brothertown Indians, a board of Commissioners shall be constituted, to consist of five of the principal or head men of said tribe, a majority of whom shall constitute a quorum to do business, whose duty it shall be, make a just and fair partition and division of said lands among the members of said tribe, or among such of them as, by the laws and customs and regulations of said tribe, are entitled to the same, and such proportions and in such manner, as shall be consistent with equity and justice, and in accordance with the existing laws, customs, usages, or agreements of said tribe.

Approved, March 3d, 1839.

[PUBLIC—No. 28.]

An Act to amend an act entitled "an act requiring the pay and emoluments of brevet officers," passed April 16, 1818.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passing of this act, the act entitled "an act regulating the pay and emoluments of brevet officers," approved April 16th, 1818, be, and the same shall be, so construed, as to include the case of the Adjutant General of the United States.

Approved, March 3d, 1839.

[PUBLIC—No. 29.]

An act to authorize the construction of a road from Dubuque, in the Territory of Iowa, to the northern boundary of the State of Missouri, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passing of this act, the act entitled "an act regulating the pay and emoluments of brevet officers," approved April 16th, 1818, be, and the same shall be, so construed, as to include the case of the Adjutant General of the United States.

Approved, March 3d, 1839.

[PUBLIC—No. 30.]

An act to authorize the construction of a road from Dubuque, in the Territory of Iowa, to the northern boundary of the State of Missouri, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of twenty thousand dollars be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to the opening and construction of a road in the Territory of Iowa, from Dubuque, on the river Mississippi, to such point in the northern boundary of the State of Missouri as may be best suited for its future extension by that State to the cities of Jefferson and St. Louis, within the same; that the Secretary of War be empowered and directed to cause such road to be constructed by contract, or otherwise: Provided, That the said road be opened throughout, and so far completed as to be capable of use, without exceeding in cost the sum herein appropriated, and in laying down the route thereof respect be paid, so far as the same may be practicable, without greatly increasing the length thereof, to the accommodation of the seats of justice of the several counties in Iowa through which it may pass, and to the best sites of bridges or ferries over the several rivers which the said road must cross.

Sec. 2. And be it further enacted, That the Secretary of War be, and he is hereby empowered to cause such road to be constructed by contract, or otherwise: Provided, That the said road be opened throughout, and so far completed as to be capable of use, without exceeding in cost the sum herein appropriated, and in laying down the route thereof respect be paid, so far as the same may be practicable, without greatly increasing the length thereof, to the accommodation of the seats of justice of the several counties in Iowa through which it may pass, and to the best sites of bridges or ferries over the several rivers which the said road must cross.

Sec. 3. And be it further enacted, That the following sums are hereby appropriated to several objects respectively, which are hereinafter described.

For the opening and construction of a road from Burlington through the counties of Des Moines, Henry and Van Buren, towards the seat of Indian agency on the river Des Moines, five thousand dollars.

For the improvement of the road from Burlington, in the Territory of Iowa, to De Hauges, in Illinois, the sum of twenty five hundred dollars, in aid of a like sum contributed towards the same object by the town of Burlington.

Approved, March 3d, 1839.

[PUBLIC—No. 31.]

An Act providing for the erection of a fire proof building for the General Post Office Department.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he hereby is, authorized to cause to be erected a fire-proof building, of such dimensions and upon such plan of arrangement as may be required for the use and accommodation of the General Post Office Department on the site of the Post Office building recently destroyed by fire, and, for this purpose, that he be authorized to appoint a skillful architect to prepare and submit to him the necessary plans for the proper construction of such building, which being approved by him shall be confirmed to the architect, and a copy thereof, shall be deposited with the town clerk of said tribe, on or before the first day of October next, and shall remain open for inspection to all, for the space of twenty days thereafter; and if any member or members of said tribe shall object to the partition or division so made by the said commissioners, shall deem himself or themselves aggrieved thereby, he or they may, within ten days thereafter, give notice to the said commissioners, who shall, within twenty days thereafter, meet to hear and determine such grievances, and take testimony, if necessary; and after such hearing, shall have power to alter or modify such partition, if, in their judgement, any alteration or modification is necessary, in order to do equal and exact justice to all parties in interest.

Sec. 4. And be it further enacted, That after the said commissioners shall have made such partition and division as aforesaid, they shall make, or cause to be made, a full report of their proceedings in the premises, setting forth, the name of each person to whom they have appointed any part of said land, the quantity appropriated or allotted to each, with the names and bounds, or other definite description of each several piece or parcel of land; and they shall accompany the said report with a fair and accurate report of the whole, showing the divisions and partitions aforesaid; which report and map, or a copy thereof, shall be deposited with the town clerk of said tribe, on or before the first day of October next, and shall remain open for inspection to all, for the space of twenty days thereafter; and if any member or members of said tribe shall object to the partition or division so made by the said commissioners, shall deem himself or themselves aggrieved thereby, he or they may, within ten days thereafter, give notice to the said commissioners, who shall, within twenty days thereafter, meet to hear and determine such grievances, and take testimony, if necessary; and after such hearing, shall have power to alter or modify such partition, if, in their judgement, any alteration or modification is necessary, in order to do equal and exact justice to all parties in interest.

Sec. 5. And be it further enacted, That after the said commissioners shall have made such partition and division as aforesaid, they shall make, or cause to be made, a full report of their proceedings in the premises, setting forth, the name of each person to whom they have appointed any part of said land, the quantity appropriated or allotted to each, with the names and bounds, or other definite description of each several piece or parcel of land; and they shall accompany the said report with a fair and accurate report of the whole, showing the divisions and partitions aforesaid; which report and map, or a copy thereof, shall be deposited with the town clerk of said tribe, on or before the first day of January next; and after the same shall have been filed and transmitted to the President, as aforesaid, the said Brothertown Indians, and each and every one of them, shall then be deemed to be, citizens of the United States to all intents and purposes, and shall be entitled to all the rights, privileges, and immunities of such citizens, and shall, in all respects, be subject to the laws of the United States and of the Territory of Wisconsin, in the same manner as other citizens of said Territory; and the jurisdiction of the United States of said Territory, and shall be extended over the said township of reservation now held by them.

Sec. 6. And be it further enacted, That the principal material of which the exterior walls of such building shall be constructed, shall be such as the President of the United States shall direct, joined, and laid in regular courses, in the most approved mode of such construction.

Sec. 7. And be it further enacted, That, for the erection of the building authorized by the first section of this act, there be, and hereby is, appropriated, the sum of one hundred and fifty thousand dollars, out of any money in the Treasury not otherwise appropriated by law.

Approved, March 2d, 1839.

[PUBLIC—No. 32.]

An ACT in addition to "An act to promote the progress of the useful arts.

# Democrat.

NO. 42.

COLUMBUS, MISSISSIPPI, SATURDAY, APRIL 27, 1839.

by the said Legislative Assembly, or in any way to impeach or alter the power of Congress over laws passed by said Assembly.

Approved, March 2d, 1839.

[PUBLIC—No. 33.]

AN ACT to define and establish the eastern boundary line of the Territory of Iowa.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the middle or centre of the main channel of the river Mississippi shall be deemed, and is hereby declared, to be the eastern boundary line of the Territory of Iowa, so far as to such extent as the said Territory is bounded eastwardly or upon said river: Provided, however, That the said Territory of Iowa shall have concurrent jurisdiction upon the said and Mississippi river with any other conterminous State or Territory so far as to such extent as the said river shall form a common boundary between the several territory of Iowa and any other such conterminous state or territory.

Approved, March 3d, 1839.

[PUBLIC—No. 34.]

AN ACT giving to the President of the United States additional powers for the defence of the United States, in certain cases, against invasion, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States and he hereby is authorized to use his authority to execute the laws of the Union, supplies, instructions, and forces, if necessary, to repel invasion, to defend the peace and safety of the State of Maine which is in dispute between the United States and Great Britain, to enforce, by arms, her claim to exclusive jurisdiction over that part of the State of Maine which is in dispute between the United States and Great Britain, to employ temporary forces, to call into the service of the United States, and to make such laws and regulations as may be necessary for the defence of the United States.

Approved, March 3d, 1839.

[PUBLIC—No. 35.]

AN ACT to authorize the election or appointment of certain officers in the Territory of Iowa, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Legislative Assembly of the Territory of Iowa shall be, and are hereby authorized to provide by law for the election or appointment of sheriffs, judges of probate, justices of the peace and county surveyors, within the said territory, in such way or manner and at such times and places as to them may seem proper; and after a law shall have been passed by the Legislative Assembly for that purpose, all elections or appointments of the above named officers thereafter to be had or made, shall be in pursuance of such law.

Sec. 2. And be it further enacted, That the term of service of the present Delegate for said Territory of Iowa shall expire on the twenty-seventh day of October, eighteen hundred and forty; and the qualified electors of said Territory may elect a Delegate to serve on the said twenty-seventh day of October to the fourth day of March, thereafter, at such time and place as shall be prescribed by law.

Sec. 3. And be it further enacted, That the term of service of the present Delegate for said Territory of Iowa shall expire on the twenty-seventh day of October, eighteen hundred and forty; and the qualified electors of said Territory may elect a Delegate to serve on the said twenty-seventh day of October to the fourth day of March, thereafter, at such time and place as shall be prescribed by law.

Sec. 4. And be it further enacted, That the term of service of the present Delegate for said Territory of Iowa shall expire on the twenty-seventh day of October, eighteen hundred and forty; and the qualified electors of said Territory may elect a Delegate to serve on the said twenty-seventh day of October to the fourth day of March, thereafter, at such time and place as shall be prescribed by law.

Approved, March 3d, 1839.

[PUBLIC—No. 36.]

AN ACT making appropriations for preventing and suppressing Indian hostilities for the year eighteen hundred and thirty-nine.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sum amounting to one million eight hundred and four thousand seven hundred and seventy-four dollars, be and the same are hereby appropriated out of any money in the Treasury not otherwise appropriated, to defray the expense which have been, or may be incurred in preventing or suppressing the hostilities of any Indians, in the year eighteen hundred and thirty-nine, to be expended under the direction of the Secretary of War, conformably to the acts of congress of the nineteenth of March and the second of July, eighteen hundred and thirty-six, and of the acts referred to.

For the allowance made to officers for the transportation of their baggage, when travelling on duty without troops, sixty thousand dollars;

For the transportation of the army including the baggage of troops, when moving either by land or water; freight and carriage; purchase or hire of horses, mules, oxen, carts, wagons, and boats, for the purpose of transportation, or for the use of garrison; drayage and cartage at the several posts; of teams of horses, transportation of funds for the pay department; expense of sailing a public transport between the posts on the Gulf of Mexico, and of procuring water at such posts as their situation require it; the transportation of clothing from the depot at Philadelphia to the stations of the troops; of subsistence from the places of purchase, and the points of delivery under contracts, to such places as the circumstances of the service may require it to be sent; of ordnance from the foundry, and armories, to the fortifications and frontier posts, and of lead from the western mines to the several arsenals, the sum of two thousand five hundred dollars;

For the incidental expenses of the quartermaster's department, consisting of postage on public letters and packets; expenses of courts martial and courts of inquiry, including the compensation of judge advocates, members, and witnesses; extra pay to soldiers under an act of congress of the 2d of March, 1819; expenses of expresses from the frontier posts; of the necessary articles for the interment of non-commissioned officers and soldiers;

Approved, March 3d, 1839.

[PUBLIC—No. 37.]

AN ACT making appropriations for preventing and suppressing Indian hostilities for the year eighteen hundred and thirty-nine.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sum amounting to one million eight hundred and four thousand seven hundred and seventy-four dollars, be and the same are hereby appropriated out of any money in the Treasury not otherwise appropriated, to defray the expense which have been, or may be incurred in preventing or suppressing the hostilities of any Indians, in the year eighteen hundred and thirty-nine, to be expended under the direction of the Secretary of War, conformably to the acts of congress of the nineteenth of March and the second of July, eighteen hundred and thirty-six, and of the acts referred to.

For the allowance made to officers for the transportation of their baggage, when travelling on duty without troops, sixty thousand dollars;

For the transportation of the army including the baggage of troops, when moving either by land or water; freight and carriage; purchase or hire of horses, mules, oxen, carts, wagons, and boats, for the purpose of transportation, or for the use of garrison; drayage and cartage at the several posts; of teams of horses, transportation of funds for the pay department; expense of sailing a public transport between the posts on the Gulf of Mexico, and of procuring water at such posts as their situation require it; the transportation of clothing from the depot at Philadelphia to the stations of the troops; of subsistence from the places of purchase, and the points of delivery under contracts, to such places as the circumstances of the service may require it to be sent; of ordnance from the foundry, and armories, to the fortifications and frontier posts, and of lead from the western mines to the several arsenals, the sum of two thousand five hundred dollars;

For the incidental expenses of the quartermaster's department, consisting of postage on public letters and packets; expenses of courts martial and courts of inquiry, including the compensation of judge advocates, members, and witnesses; extra pay to soldiers under an act of congress of the 2d of March, 1819; expenses of expresses from the frontier posts; of the necessary articles for the interment of non-commissioned officers and soldiers;

Approved, March 3d, 1839.

[PUBLIC—No. 38.]

AN ACT making appropriations for preventing and suppressing Indian hostilities for the year eighteen hundred and thirty-nine.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sum amounting to one million eight hundred and four thousand seven hundred and seventy-four dollars, be and the same are hereby appropriated out of any money in the Treasury not otherwise appropriated, to defray the expense which have been, or may be incurred in preventing or suppressing the hostilities of any Indians, in the year eighteen hundred and thirty-nine, to be expended under the direction of the Secretary of War, conformably to the acts of congress of the nineteenth of March and the second of July, eighteen hundred and thirty-six, and of the acts referred to.

For the allowance made to officers for the transportation of their baggage, when travelling on duty without troops, sixty thousand dollars;

For the transportation of the army including the baggage of troops, when moving either by land or water; freight and carriage; purchase or hire of horses, mules, oxen, carts, wagons, and boats, for the purpose of transportation, or for the use of garrison; drayage and cartage at the several posts; of teams of horses, transportation of funds for the pay department; expense of sailing a public transport between the posts on the Gulf of Mexico, and of procuring water at such posts as their situation require it; the transportation of clothing from the depot at Philadelphia to the stations of the troops; of subsistence from the places of purchase, and the points of delivery under contracts, to such places as the circumstances of the service may require it to be sent; of ordnance from the foundry, and armories, to the fortifications and frontier posts, and of lead from the western mines to the several arsenals, the sum of two thousand five hundred dollars;

For the incidental expenses of the quartermaster's department, consisting of postage on public letters and packets; expenses of courts martial and courts of inquiry, including the compensation of judge advocates, members, and witnesses; extra pay to soldiers under an act of congress of the 2d of March, 1819; expenses of expresses from the frontier posts; of the necessary articles for the interment of non-commissioned officers and soldiers;

Approved, March 3d, 1839.

[PUBLIC—No. 39.]

AN ACT to alter and amend the organic law of the Territories of Wisconsin and Iowa.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every bill which shall be passed by the Council and House of Representatives of the Territories of Iowa and Wisconsin shall, before it become a law, be presented to the Governor of the Territory;